

IN The United States District Court For  
Middle ~~REPUBLIC~~ of Alabama

Courtney Boyd #208921  
Plaintiff

2007 MAR 22 A 9:50

VS.

Case NO: 2006 CV-511-ZUKZ

Dr. Darboze, et al  
Defendant

CLAYTON W. HACKETT  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

Motion For Trial By Court or Jury

Pursuant 39 Fed. R. C.V. Proc.

Comes Now, The plaintiff, Courtney Boyd pro/se  
moves into this Honorable Court pursuant to Rule  
39 Fed. R. C.V. Proc. The plaintiff submit the following:

1. The plaintiff filed a Motion to Compel on Oct. 17, 2006, requesting that his medical profiles be renewed by the Defendants.
2. The Defendant was order to show Good Cause why the plaintiff profiles should not be renewed on or before Oct. 30, 2006.
3. The Defendant filed for a (10) days Extension on Oct. 30, 2006.
4. The plaintiff request for trial by the Court pursuant 39 Rule of Fed. C.V. Proc.
5. The right of trial by jury or Court as declared by the Seventh Amendment to the Constitution or as given by a State of the United States shall be preserved to the parties involved.

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Exhibit A

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6. Rule 38 (B) Demand. Any party may demand ~~any~~ a trial by jury of any issue triable of right by a jury by (1) serving upon the other parties a demand therefor in writing at any time after the commencement of the action and not later than (10) days after the service of the last pleading directed to such issue.

7. The plaintiff last pleading on this issue was Oct. 17, 2006. The Defendant filed there extension on Oct. 30, 2006. The Plaintiff make his demand on Nov. 2, 2006.

Wherefore, the plaintiff prays that the Honorable Court will grant this motion and set this matter down for a trial.

~~Courtney Boyd~~  
Courtney Boyd

#### Certificate of Service

I hereby certify that a copy of the foregoing is served upon the Defendant's Counsel, by placing it into Easterling Corl. Fac. Mail Box on Nov. 2, 2006,

~~Courtney Boyd~~

Pursuant to 28 U.S.C. Section 1746, I, Courtney Boyd do hereby sign under the penalty of perjury that the foregoing is true and correct. Executed on 11-2-06,

~~Courtney Boyd~~

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*Montgomery Board HX081211 B-1-11*  
 EASTERLING CORRECTIONAL FACILITY  
 200 WALLACE DRIVE  
 CLIO, ALABAMA 36017

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